

Message Text

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ORIGIN ORM-02

INFO OCT-01 ARA-06 EUR-12 EA-07 NEA-10 IO-13 ISO-00 DHA-02

SCA-01 INSE-00 SIG-01 SS-15 CIAE-00 DODE-00 PM-04

H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02

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EA/TB:RKLEMSTEIN (DRAFT)

SCA:LWALENTYNOWICZ

INS:SISENSTEIN

EA:RMILLER

EA/J:SEATON(DRAFT)

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FM SECSTATE WASHDC

TO USMISSION GENEVA PRIORITY

USMISSION USUN NEW YORK

AMEMBASSY TOKYO

AMEMBASSY TAIPEI

AMCONSUL HONG KONG

AMEMBASSY MANILA

AMEMBASSY BANGKOK

AMEMBASSY JAKARTA

AMEMBASSY SINGAPORE

INFO AMCONSUL NAHA PRIORITY

AMEMBASSY ROME

AMEMBASSY BERN

AMEMBASSY CANBERRA

AMEMBASSY BRUSSELS

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AMCONSUL RIO DE JANEIRO

AMEMBASSY OTTAWA

AMEMBASSY BOGOTA

AMEMBASSY COPENHAGEN

AMEMBASSY PARIS
AMEMBASSY BONN
AMEMBASSY ATHENS
AMEMBASSY TEHRAN
AMEMBASSY THE HAGUE
AMEMBASSY OSLO
AMEMBASSY ANKARA
AMEMBASSY LONDON
AMEMBASSY CARACAS
AMEMBASSY WELLINGTON
AMEMBASSY KUALA LUMPUR

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E.O. 11652: GDS

TAGS: SREF

SUBJECT: INDOCHINESE REFUGEES -- BOAT CASES

REFERENCE: STATE 217215

1. SUMMARY: IN LIGHT OF INCREASINGLY GRAVE SITUATION FACED BY INDOCHINESE REFUGEES ESCAPING BY BOAT, DEPARTMENT IS CONSIDERING FURTHER POSSIBLE ANSWERS TO THIS PROBLEM. KEY ELEMENT IS NECESSITY FOR UNHCR TO PLAY A LEADING ROLE IN TRULY INTERNATIONAL EFFORT. U.S. MUST NOT BE SEEN AS PRINCIPAL FACTOR. AS PART OF INTERNATIONAL EFFORT, HOWEVER, U.S. MUST BE PREPARED ACCEPT LIMITED NUMBER OF QUALIFIED "BOAT CASE" REFUGEES FROM SOUTHEAST ASIA BY MAKING AVAILABLE COMBINATION OF CONDITIONAL ENTRY AND NON-PREFERENCE NUMBERS FOR THESE CASES. UNHCR MIGHT CONSIDER DESIRABILITY OF ESTABLISHING A REGIONAL HOLDING CENTER TO PROCESS "BOAT CASE" REFUGEES TO COUNTRIES OF TRADITIONAL IMMIGRATION. AS LESS DESIRABLE ALTERNATIVE, UNHCR MIGHT CONTINUE TO PROVIDE CARE AND MAINTENANCE IN EACH OF SEA NATIONS AS AT PRESENT WHILE MORE PERMANENT RESETTLEMENT OPPORTUNITIES ARE SOUGHT. END

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SUMMARY.

2. REFTEL DESCRIBES INCREASINGLY GRAVE SITUATION IN WHICH INDOCHINESE REFUGEES ESCAPING BY BOAT FIND THEMSELVES, AND DETAILS EFFORTS TO INTERNATIONALIZE PROBLEM UNDER LEADERSHIP OF UNHCR AND WITH ASSISTANCE OF UN SECRETARY GENERAL. ALONG WITH APPEALS BY UN LEADERS, TEMPORARILY STAYING THE HAND OF COUNTRIES OF FIRST ASYLUM, PROGRESS IS ALSO NEEDED IN DEVELOPING RELATIVELY FIRM COMMITMENTS BY COUNTRIES OF TRADITIONAL IMMIGRATION TO TAKE SUCH REFUGEES. URGENT EFFORTS ARE BEING MADE TO THIS END.

3. IN ORDER TO BE SUCCESSFUL, U.S. FOR ITS PART MUST BE

WILLING ACCEPT LIMITED NUMBER OF QUALIFIED "BOAT CASE" REFUGEES. AT SAME TIME WE MUST MAKE CLEAR THIS IS NO LONGER EXCLUSIVELY AN AMERICAN PROBLEM.

4. CONDITIONAL ENTRY APPEARS TO OFFER THE BEST LONG TERM MEANS TO PERMIT U.S. TO SUPPORT UNHCR INITIATIVES. AFTER WEIGHING THE COMPETING DEMAND FOR CE NUMBERS BY OTHER REFUGEE SITUATIONS, INS HAS TENTATIVELY RECOMMENDED TO THE ATTORNEY GENERAL AN ALLOCATION FOR THIS PURPOSE OF ONE HUNDRED CE NUMBERS PER MONTH. GIVEN OUR EARLIER ASSURANCE TO THE CONGRESS, ANOTHER CLASS PAROLE IS NOT POSSIBLE.

5. WE ARE CURRENTLY UNDERTAKING THOSE NECESSARY PRELIMINARY STEPS, IN CONSULTATION WITH INS FOR THE ESTABLISHMENT OF ONE OR MORE ADDITIONAL POINTS FOR CONDITIONAL ENTRY (P-7) PROCESSING. WE HOPE TO BE ABLE TO MAKE AVAILABLE A COMBINATION OF CE AND NON-PREFERENCE NUMBERS TO BE USED IN SEA PRIMARILY FOR INDOCHINESE REFUGEES WHO ESCAPE BY BOAT. WHENEVER POSSIBLE, NON-PREFERENCE NUMBERS WOULD BE USED FOR DEPENDENTS IN ORDER TO MAXIMIZE USE OF CE NUMBERS.

6. HONG KONG HAS ALSO SUGGESTED IN ITS 9932 ESTABLISHMENT OF A REGIONAL PROCESSING CENTER UNDER UNHCR AUSPICES. THIS REPRESENTS ONE POSSIBLE APPROACH. INTENT WOULD BE TO PROVIDE A CENTRAL LOCATION FOR PROCESSING THESE REFUGEES TO COUNTRIES OF TRADITIONAL IMMIGRATION RATHER THAN A PERMANENT OR SEMI-PERMANENT HOLDING CAMP. SUCH A CENTER, HOW-
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EVER, COULD ONLY BE ESTABLISHED IN RESPONSE TO A UNHCR INITIATIVE. EVEN THEN, THE PROBLEM WOULD BE THE WILLINGNESS OF ANY SEA COUNTRY TO ABSORB INDOCHINESE REFUGEES FROM OTHER SEA COUNTRIES THOUGH POLITICAL SENSITIVITIES PRESUMABLY WOULD BE REDUCED BY THE UNHCR ROLE. INDOCHINESE "BOAT CASE" REFUGEES WOULD BE SELECTED AND APPROVED BY THE UNHCR FOR MOVEMENT TO SUCH A CENTER FROM OTHER SEA NATIONS. MOVEMENT WOULD PROBABLY BE UNDERTAKEN BY ICEM. THE HANDLING OF REFUGEES WOULD, THUS, BE ENTIRELY INTERNATIONALIZED.

7. SUCCESSFUL IMPLEMENTATION OF SUCH A PROPOSAL, HOWEVER, WOULD REQUIRE A HIGH DEGREE OF CERTAINTY ON THE PART OF THE HOST GOVERNMENT WHERE SUCH A REGIONAL CENTER WAS LOCATED THAT THE STAY OF THESE REFUGEES WOULD BE TEMPORARY. THIS WOULD DEPEND ON THE FIRMNESS OF THE GUARANTEES WHICH THE UNHCR COULD GIVE WHICH WOULD IN TURN, DEPEND ON THE COMMITMENTS COUNTRIES OF TRADITIONAL IMMIGRATION ARE PREPARED TO MAKE TO THE UNHCR. ESTABLISHMENT OF SUCH A REGIONAL CENTER WOULD BE CONVENIENCE TO U.S. AS WELL.

8. AN ALTERNATIVE TO A REGIONAL SEA CENTER WOULD BE THE USE OF AN ESTABLISHED EUROPEAN CENTER SUCH AS TRAISKIRCHEN

OR LAVRION, THOUGH A MAJOR DISINCENTIVE WOULD BE INCREASED COSTS. A EUROPEAN CENTER MIGHT BE UTILIZED ON AN EMERGENCY BASIS, HOWEVER, TO TAKE SOME OF THE PRESSURE OFF OF THE BOAT CASE SITUATION WHILE MORE PERMANENT ARRANGEMENTS WERE WORKED OUT.

9. ANOTHER ALTERNATIVE TO THE REGIONAL HOLDING CENTER WOULD BE A CONTINUATION OF THE CURRENT PRACTICE OF THE UNHCR IN PROVIDING CARE AND MAINTENANCE IN CENTERS IN EACH OF THE SEA NATIONS WHILE MORE PERMANENT RESETTLEMENT OPPORTUNITIES ARE SOUGHT. WHILE IT WOULD BE MORE DIFFICULT FOR THE UNHCR TO EXERCISE ITS COORDINATING ROLE UNDER SUCH CIRCUMSTANCES, IT WOULD REMAIN A CRUCIAL ELEMENT IN A SUCCESSFUL SOLUTION OF THE PROBLEM.

10. WITH RESPECT TO THE US PROGTAM IN SUCH A CASE, AN "AREA" OF CE PROCESSING WOULD HAVE TO BE ESTABLISHED WITH AN INS OFFICER PERIODICALLY VISITING THOSE COUNTRIES THAT PROVIDE FIRST ASYLUM TO THE REFUGEES IN ORDER TO SCREEN

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AND CLEAR THEM FOR CONDITIONAL ENTRY. POST CONSULAR OFFICERS WOULD PROCESS DEPENDENTS WHEN NON-PREFERENCE NUMBERS ARE AVAILABLE. THE PROGRAM WOULD BE AN UNHCR ONE, HOWEVER, AND EVERY EFFORT WOULD BE MADE TO INVOLVE OTHER COUNTRIES OF TRADITIONAL IMMIGRATION WHICH WOULD BE EXPECTED TO TAKE A SUBSTANTIAL PROPORTION OF THE "BOAT CASE" REFUGEES.

11. SUCH AN ARRANGEMENT WOULD BE SOMEWHAT UNHANDY IN THAT IT WOULD INVOLVE ALMOST CONSTANT TRAVEL BY INS OFFICERS AS WELL AS DELAYS IN PROCESSING CONDITIONAL ENTRY APPLICANTS. HOWEVER, IF THE UNHCR DOES NOT OR CANNOT ESTABLISH A REGIONAL CENTER, THIS MAY BE THE ONLY SOLUTION TO THE PROBLEM.

12. FOR GENEVA: U.S. MISSION GENEVA IS REQUESTED TO CONTINUE TO EXPLORE URGENTLY WITH UNHCR MEANS OF DEALING WITH THIS PROBLEM. IN URGING ACTION BY THE UNHCR TO MEET THIS URGENT PROBLEM, U.S. MISSION SHOULD BE PREPARED TO DISCUSS POSSIBILITY THAT UNHCR MIGHT WISH TO ESTABLISH SUCH A REGIONAL CENTER IN SEA. THE USG WOULD BE PREPARED TO CONSIDER WAYS IN WHICH WE COULD BE HELPFUL IN THE FUNDING FOR SUCH A CENTER. THE ICEM LOAN FUND FOR INDOCHINESE REFUGEES MIGHT BE AVAILABLE TO HELP MEET TRANSPORTATION COSTS AND AN ADDITIONAL CONTRIBUTION FROM U.S. REFUGEES EMERGENCY FUNDS TO ASSIST UNHCR IN MEETING CARE AND MAINTENANCE COSTS IS A POSSIBILITY. RECOGNIZING THAT PROBLEMS EXISTS EVERYWHERE, WE SEE BEST POSSIBILITY FOR SUCH A CENTER IN THE PHILIPPINES, HONG KONG, OR JAPAN (PERHAPS ON OKINAWA).

13. FOR HONG KONG: REQUEST CONGEN COMMENT GENERALLY AND SPECIFICALLY ON THE EFFECT ON SUCH A PROPOSAL OF THE COM-

PЛИCATING FACTOR OF CHINESE P-7 APPLICANTS HIGHER ON THE LIST.

14. FOR BANGKOK: WE BELIEVE A CE PROGRAM WOULD CREATE PARTICULARLY SEVERE PROBLEM IN BANGKOK WHERE LARGE NUMBERS OF INDOCHINESE REFUGEES, ALREADY IN THAILAND, WHO ARE OTHERWISE UNQUALIFIED FOR ENTRY INTO U.S., COULD REGISTER FOR CE AND SOAK UP ALL AVAILABLE CE NUMBERS. IF A REGIONAL CENTER CAN BE ESTABLISHED IN SEA, PROCESSING "BOAT CASE" REFUGEES IN THAILAND FOR CE COULD BE AVOIDED. IF NATIONAL

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CENTERS ARE ESTABLISHED, CONSIDERATION WOULD HAVE TO BE GIVEN, IN THE CASE OF THAILAND, TO SPECIAL ARRANGEMENTS TO TRANSFER SELECTED REFUGEES (PRIMARILY BOAT CASES) TO ANOTHER POST FOR PROCESSING. THIS MIGHT BE EITHER A POST IN SEA OR, POSSIBLY, AN ESTABLISHED EUROPEAN PROCESSING POINT. IN EITHER CASE SECURITY CLEARANCE AND SPONSOR VERIFICATION COULD BE COMPLETED PRIOR TO THE TRANSFER OF THE REFUGEE TO THE CONDITIONAL ENTRY PROCESSING POINT IF NECESSARY. THUS, NOT ONLY WOULD THE TIME SPENT AT THE PROCESSING POINT BE MINIMAL, BUT THE HOST COUNTRY WOULD HAVE A REASONABLE EXPECTATION THAT ALMOST ALL REFUGEES WHO ARE PRE-CLEARED BY USG AND TRANSFERRED TO THE PROCESSING POINT WOULD BE ELIGIBLE FOR CONDITIONAL ENTRY INTO THE UNITED STATES.

15. FOR ALL: REQUEST ALL ACTION ADDRESSES TO COMMENT ON PROBABLE HOST GOVERNMENT ATTITUDES TOWARD ESTABLISHMENT OF REGIONAL CENTER TO HANDLE "BOAT CASE" REFUGEES. DO NOT REPEAT NOT APPROACH HOST GOVERNMENTS AT THIS TIME. AS WE WORK OUT ARRANGEMENTS, POSTS SHOULD CONTINUE TO REPORT SITUATION AS IT DEVELOPS WITH RECOMMENDATIONS FOR USE OF REMAINING EXTREMELY LIMITED EPP PAROLE AUTHORITY IN ESPECIALLY URGENT CASES. KISSINGER

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